

CS

**CONTRACT NO.** 03 - 2F0504

**NAME OF BIDDER** O.C. Jones & Sons, Inc.

**BUSINESS P.O. BOX** n/a

**CITY, STATE, ZIP** n/a

**BUSINESS STREET ADDRESS** 1520 Fourth Street

(Include even if P.O. Box used)

**CITY, STATE, ZIP** Berkeley, CA 94710

**TELEPHONE NO:** AREA CODE ( 510 ) 526-3424

**FAX NO:** AREA CODE ( 510 ) 526-0990

**CONTRACTOR LICENSE NO.** 759729

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the *Notice to Bidders*.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:

- 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:

- 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.

- 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.

- 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

- 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.

- 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.

- 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

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2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.

For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.

For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

1, 2, 3, 4, 5

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ \_\_\_\_\_, Cashiers Check, Certified Check, Bidder's Bond

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

5.1. Criminal prosecution

5.2. Rejection of the bid

5.3. Rescission of the award

5.4. Termination of the Contract

BY (Authorized Signature)



DATE SIGNED (Do not type)

10-25-11

PRINTED NAME AND TITLE OF PERSON SIGNING

Greg Souder, Secretary

**ADA Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

# BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070012	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SUM	LUMP SUM	4,000.00
2	070018	TIME-RELATED OVERHEAD	WDAY	120	750.00	90,000.00
3	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	20,000.00
4	074017	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,000.00
5	074041	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	12,000.00
6	074042	TEMPORARY CONCRETE WASHOUT (PORTABLE)	LS	LUMP SUM	LUMP SUM	3,500.00
7	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	9,000.00
8	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	200,000.00
9	120165	CHANNELIZER (SURFACE MOUNTED)	EA	16	50.00	800.00
10	128650	PORTABLE CHANGEABLE MESSAGE SIGN	LS	LUMP SUM	LUMP SUM	10,000.00
11	129000	TEMPORARY RAILING (TYPE K)	LF	3,200	9.00	28,800.00
12	021863	ALTERNATIVE TEMPORARY CRASH CUSHION	EA	1	7,000.00	7,000.00
13	141104	REMOVE YELLOW THERMOPLASTIC PAVEMENT MARKING (HAZARDOUS WASTE)	SQFT	880	6.30	5,544.00
14	150662	REMOVE METAL BEAM GUARD RAILING	LF	3,200	6.00	19,200.00
15	150710	REMOVE TRAFFIC STRIPE	LF	37,700	0.60	22,620.00
16	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	6,410	2.60	16,666.00
17	150771	REMOVE ASPHALT CONCRETE DIKE	LF	4,900	1.70	8,330.00
18	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	12,800	2.25	28,800.00
19	190101	ROADWAY EXCAVATION	CY	1,100	21.00	23,100.00
20	190110	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2,000.00

# BID ITEM LIST

03-0F1104

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	198007	IMPORTED MATERIAL (SHOULDER BACKING)	TON	3,600	3.00	10,800.00
22	260201	CLASS 2 AGGREGATE BASE	CY	900	45.00	40,500.00
23	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	81	550.00	44,550.00
24	374207	CRACK TREATMENT	LNMI	32	2,620.00	33,200.00
25	390095	REPLACE ASPHALT CONCRETE SURFACING	CY	4,000	200.00	800,000.00
26	390132	HOT MIX ASPHALT (TYPE A)	TON	500	75.00	37,500.00
27	390138	RUBBERIZED HOT MIX ASPHALT (OPEN GRADED)	TON	10,700	106.00	1,134,200.00
28	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	5,000.00
29	394073	PLACE HOT MIX ASPHALT DIKE (TYPE A)	LF	4,900	2.00	9,800.00
30	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	SQYD	2,300	2.80	6,440.00
31	397005	TACK COAT	TON	49	850.00	41,650.00
32	411105	INDIVIDUAL SLAB REPLACEMENT (RSC)	CY	160	765.00	122,400.00
33	413111	REPAIR SPALLED JOINTS	SQYD	10	920.00	9,200.00
34	413115	SEAL JOINT (EXISTING CONCRETE PAVEMENT)	LF	230,000	1.65	379,500.00
35	420201	GRIND EXISTING CONCRETE PAVEMENT	SQYD	324,000	3.10	1,004,400.00
36	021864	GRIND AND GROOVE EXISTING CONCRETE PAVEMENT	SQYD	35,000	11.75	411,250.00
37	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	7	2,500.00	17,500.00
38	832001	METAL BEAM GUARD RAILING	LF	3,200	17.50	56,000.00
39	839541	TRANSITION RAILING (TYPE WB)	EA	18	3,000.00	54,000.00
40	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	320,000	0.35	112,000.00



C5

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	840506	8" THERMOPLASTIC TRAFFIC STRIPE	LF	16,900	0.75	12,675.00
42	840508	8" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 12-3)	LF	10,100	0.75	7,575.00
43	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	7,860	3.90	30,654.00
44	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	LF	123,000	0.15	18,450.00
45	840526	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 17-7)	LF	10,700	0.30	3,210.00
46	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	1,740	2.00	3,480.00
47	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	8,470	3.00	25,410.00
48	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	1,000.00
49	860811	DETECTOR LOOP	LS	LUMP SUM	LUMP SUM	80,000.00
50	860889	MODIFY TRAFFIC MONITORING STATION	LS	LUMP SUM	LUMP SUM	40,000.00
51	021865	MODIFY AUTOMATIC VEHICLE CLASSIFICATION SYSTEM	LS	LUMP SUM	LUMP SUM	35,000.00
52	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	447,000.00

TOTAL BID:

\$ 5,546,704.00

(8)

**O.C. Jones & Sons, Inc.**1520 Fourth Street  
Berkeley, CA 94710-1774**FROM:**Berkeley (Estimating - Heidi)  
(510) 526-3424  
(510) 526-0990 Fax**FACSIMILE TRANSMITTAL**Company: Caltrans Fax Number: 916-227-6282ATTN: Office Engineer Date: 11/16/11RE: Contract No. 03-2F0504Number of Pages (Including this Transmittal): 2**Comments:**Subcontractor List with percentages is attached for Contract No. 03-2F0504,  
Bid Date: 11/15/11.**IF YOU DO NOT RECEIVE ALL PAGES TRANSMITTED, PLEASE  
CALL BACK AS SOON AS POSSIBLE.  
NO ORIGINALS WILL FOLLOW THIS FAX**

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
 DES-OE-0102.2 (REV 3/2011)

Bidder Name: O.C. Jones & Sons, Inc.

The bidder must identify each subcontractor performing work in an amount of excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a non-responsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
M&M Electric Sacramento, CA	48-51	100%	Electrical
Traffic Solutions Redding, CA	13, 15, 16, 20 40-47	100% 100%	Striping
Mid State Barrier Stockton, CA	14, 37, 38, 39	100%	Metal Beam Guard Rail
Contractors Chemical Hayward, CA	24, 34	100%	Crack Treatment/Seal Joint
Professional Construction Services Concord, CA	6 8 32, 33, 35, 36 52	100% 30% 100% 22%	Concrete Grinding/Slab Replacement
KRC Safety Visalia, CA	8	28%	Traffic Control (Partial)

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**SUBCONTRACTOR LIST**

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M AND M ELECTRICAL SACRAMENTO, CA			ELECTRICAL
<del>CENTRAL STRIPING</del> GC <del>RANCHO CORDOVA, CA</del> GC			<del>STRIPING</del> GC
MID STATE BARRIER STOCKTON, CA			METAL BEAM GUARDEAIL
CONTRACTORS CHEMICAL HAYWARD, CA			CRACK TREATMENT AND SEAL JOINTS
PROFESSIONAL CONSTRUCTION SERVICES, CONCORD, CA			CONCRETE GRINDING/ SLAB REPLACEMENT

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TRAFFIC SOLUTIONS  
REDDING, CA

STRIPING

KRC SAFETY  
VISALIA, CA

TRAFFIC CONTROL  
(PARTIAL)

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**BIDDER'S BOND**  
DES-OE-0102.3 (REV 3/2008)

Contract No. 03-2F0504

Bond No. N/A

We O.C. Jones & Sons, Inc.

as Principal, and

Liberty Mutual Insurance Company

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

**THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:**

WHEREAS, the Principal is submitting a bid to the Obligee, for Construction on State Highway in Yolo County and Near Davis from Solano County Line to 0.4 Mile North of Route 5/113 Separation/Overhead  
(Copy here the exact description of work, including location, as it appears on the proposal)  
for which bids are to be opened at Sacramento, CA

2:00 pm

(Insert place where bids will be opened)  
on November 15, 2011

(Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: November 15, 20 11

Correspondence or claims relating to this bond should be sent to the surety at the following address:

71 Stevenson St. #600  
San Francisco, CA 94105

O.C. Jones & Sons, Inc.

Greg Greg Souder, Secretary

Principal

Liberty Mutual Insurance Company

Surety

By Kathleen Beck  
Kathleen Beck, Attorney-in-Fact

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of                      }

SEE ATTACHED NOTARY ACKNOWLEDGEMENT

On this                      before me,                     

Date

Here Insert Name and Title of the Officer

personally appeared                     

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)

Signature                     

Signature of Notary Public

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Contract No. 03-2F0504

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Alameda

On 11/14/11

before me,

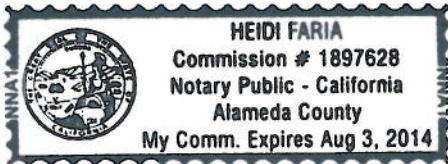
Heidi Faria, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Greg Souder

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Heidi Faria

Place Notary Seal Above

Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Bidders Bond

Document Date: 11/15/11

Number of Pages: 1

Signer(s) Other Than Named Above: Kathleen Beck

### Capacity(ies) Claimed by Signer(s)

Signer's Name: Greg Souder

☒ Corporate Officer — Title(s): Secretary

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: O.C. Jones & Sons, Inc.

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY  
BOSTON, MASSACHUSETTS  
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint

**KATHLEEN BECK, BILLY G. BERGAN, PATRICIA L. DREW, SUSAN PERAGALLO, JOHN J. DALEY, KENNETH J. GOODWIN, ALL OF THE CITY OF CONCORD, STATE OF CALIFORNIA** .....

each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding **ONE HUNDRED FIFTY MILLION AND 00/100** \*\*\*\*\* DOLLARS (\$ **150,000,000.00** \*\*\*\*\* ) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 27th day of April, 2011.

LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott  
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 27th day of April, 2011, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Plymouth Twp., Montgomery County  
My Commission Expires March 28, 2013  
Member, Pennsylvania Association of Notaries

By Teresa Pastella  
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 15th day of November, 2011.

By David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call  
1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

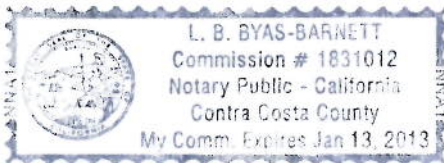
State of California  
County of Contra Costa

On November 11, 2011, before me, L.B. Byas-Barnett, Notary Public personally appeared Kathleen Beck

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity (ies) and that by ~~his/her/their~~ signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the following paragraph is true and correct

WITNESS my hand and official seal.



  
\_\_\_\_\_  
Signature of Notary Public

## Optional

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Description of attached Document

Title or Type of Document: Bid Bond

Document Date 11/11/11

Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) claimed by Signer(s)

Signer's Name: Kathleen Beck

☐ Individual

☐ Corporate Officer

Title(s):

☐ Partner-☐ Limited ☐ General

☒ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other : \_\_\_\_\_

☐ Partner-☐ Limited ☐ General

☐ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other : \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of Thumb Here

RIGHT THUMBPRINT  
OF SIGNER

Top of Thumb Here

Signer is Representing: \_\_\_\_\_

Signer is Representing  
Liberty Mutual Insurance Company

Signer's Name:

☐ Individual

☐ Corporate Officer

Title(s):

**SMALL BUSINESS STATUS**

DES-OE-0102.4 (REV 3/2008)

**CONTRACT NO.** 03 - 2F0504

Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California? Check one:

☐ Yes: Certification number? \_\_\_\_\_ ☒ No

Note: This small business questionnaire is included for statistical reporting only.

**ADA Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Contract No. 03-2F0504

**CERTIFICATIONS**

**FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION**

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over \$100,000 and these subcontractors shall certify and disclose.

**INSTRUCTIONS FOR COMPLETION OF SF-LLL,  
DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

# DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

0348-0046

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance		<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application b. initial award c. post-award		<b>3. Report Type:</b> <input type="checkbox"/> a. initial b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____	
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, <i>if known</i> Congressional District, <i>if known</i> :			<b>5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:</b>  Congressional District, <i>if known</i> :		
<b>6. Federal Department/Agency:</b>			<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable _____		
<b>8. Federal Action Number, if known:</b>			<b>9. Award Amount, if known:</b> \$		
<b>10 a. Name and Address of Lobby Registrant</b> <i>(if individual, last name, first name, MI):</i>			<b>b. Individuals Performing Services (including address if different from No. 10a)</b> <i>(last name, first name, MI):</i>		
<b>11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b>			<b>Signature:</b> _____ <b>Print Name:</b> _____ <b>Title:</b> _____ <b>Telephone No.:</b> _____ <b>Date:</b> _____		
<b>Federal Use Only:</b>				<b>Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</b>	

## EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder   X  , proposed subcontractor \_\_\_\_\_, certifies that he ☒ has ☐ has not participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

### Notes:

- The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)
- Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.
- Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

## TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND SUSPENSION CERTIFICATION

Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

## UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code § 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

## NONCOLLUSION

### NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of California County of Alameda

Greg Souder  
Secretary of O.C. Jones & Sons, Inc. being first duly sworn, deposes and says that he or she is the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

## CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code § 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

## VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code § 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

☐ Yes ☒ No

If the answer is yes, explain the circumstances in the following space.

## NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code § 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

## ANTITRUST LAW

Under Pub Con Code § 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder ☐ has ☒ has not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code § 1101, with any public entity, as defined in Pub Cont Code § 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

## BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?  
☐ Yes ☒ No
2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsive bidder by a public entity, including federal, State, local or regional entities?  
☐ Yes ☒ No
3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?  
☐ Yes ☒ No
4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:
  - 4.1. Date of each nonresponsibility determination
  - 4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination
  - 4.3. Contract number for each nonresponsibility determination

## END CERTIFICATIONS

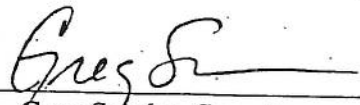
RESOLUTION OF THE BOARD OF DIRECTORS  
of  
O. C. JONES & SONS, INC.

RESOLVED, that any one of the following officers, President, Vice President, Treasurer, Secretary or Contracts Officer, of this corporation be and they are hereby authorized and empowered for and on behalf of and in the name of this Corporation and as its corporate act and deed: to perform all acts and to execute and deliver all documents necessary or convenient to any bidding, contracting, or negotiating, public or private, whatsoever.

CERTIFICATION BY SECRETARY  
of  
O. C. JONES & SONS, INC.

I, Greg Souder, Secretary of O. C. Jones & Sons, Inc., a corporation created and existing under the laws of the State of California, do hereby certify and declare the foregoing is a full, true and correct copy of the Resolution duly passed and accepted by the Board of Directors of said Corporation at a meeting of said Board duly and regularly called and noticed and held on October 29, 2008, at which meeting a quorum of the Board of Directors was present and voted in favor of the Resolution; said Resolution is now in full force and effect; there is no provision in the Articles of Incorporation or Bylaws of said Corporation, or any shareholder agreement, limiting the power of the Board of Directors of said Corporation to pass the foregoing resolution and that said Resolution is in conformity with the provisions of such Articles of Incorporation and Bylaws; and that no approval by the shareholders of, or the outstanding shares of, said Corporation is required with respect to the matters which are the subject of the foregoing Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand as of 3-27-09.

  
Greg Souder, Secretary